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Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Third periodic reports of States parties*

The Netherlands**
(Netherlands Antilles)

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* For the initial report submitted by the Government of the Netherlands see CEDAW/C/NET/1, Add.1, Add.2 and Add.3 which was considered by the Committee at its thirteenth session. For the second periodic report submitted by the Government of the Netherlands, see CEDAW/C/NET/2, Add.1 and Add.2. For the third periodic report submitted by the Government of the Netherlands, see CEDAW/C/NET/3 and Add.1.

** The present report is being issued without formal editing.

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I. INTRODUCTION

This third periodic report of the Netherlands Antilles is submitted in accordance with article 18 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which entered into force with respect to the Kingdom of the Netherlands on 22 August 1991. It is submitted as far as possible in accordance with the general guidelines regarding the form and contents of periodic reports. The report covers the period from July 1997 to November 1999. It provides an update on issues addressed in the second report (CEDAW/C/NET/2/Add.1) and contains information on remaining obstacles.

Both government and non-governmental organisations contributed in preparing this report.

II. DEVELOPMENTS

The period in question has seen a number of further improvements in the position of women.

In 1997 the option of part-time working was introduced for public servants. This has made it possible for public servants of both sexes to combine public service employment with the care and upbringing of children. The potential for introducing this option in the private sector is now being investigated.

The phased introduction of separate taxation for women was also completed. As of 1 January 1998, the earned incomes of spouses are no longer taxed jointly. Each of the spouses is now taxed individually in this respect.

The working hours for the private sector have been reduced to 40 hours per week. This will give women (and men) during the five working days more time to devote to other things, including domestic chores, the upbringing of children, family life, and education.

In 1999 action was taken to end the discrepancy between public and private-sector pregnancy and maternity leave arrangements. All female employees now have a statutory entitlement to paid pregnancy and maternity leave, normally totalling 12 weeks, to be taken around the expected date of delivery at the discretion of the woman concerned.

New legislation currently before parliament includes Book 1 of the New Civil Code of the Netherlands Antilles and Aruba (dealing with family law and the law of persons). For details of proposed amendments relevant to the implementation of the Women's Convention, see the second periodic report.

In addition, the International Convention on the Rights of the Child (CRC) came into force for the Netherlands Antilles on 16 January 1998. The key focus in this convention is on the interests of the child, including those of the "girl child".

III. OBSTACLES

A number of other obstacles to the implementation of the Women's Convention by the Netherlands Antilles have been identified.

The backlog of legislation for the implementation of conventions is still a problem for the Netherlands Antilles, mainly because of a continuing shortage of legal draftsmen. A start has been made on the replacement of out-dated legislation with new statutory provisions. A number of lawyers have recently attended a course on legal drafting in order to help fill the gap.

The New Civil Code of the Netherlands Antilles and Aruba has not yet come into force. When Book 1 of the Code is introduced, the provisions of the current Civil Code, in which women's interests are in a number of respects subordinated to those of men, will be repealed and/or amended.

Another continuing problem is the systematic collection of information and statistics from the five island territories. A remedy is being sought via regular convention meetings at island and national level.

At the moment, both central government and the island authorities are experiencing a financial crisis, meaning that various projects are having to be cut back for lack of money.

As a result of increased emigration from the Netherlands Antilles over recent years, the current statistics no longer accurately reflect the situation on the various islands. Following some delay, a new population census is expected to be held in 2001. The last one was held in 1992.

Articles 2 – 4

Legislation and policies

Institutional mechanisms to improve the position of women

In 1998 an island-level Women's Desk was opened on St. Martin. Its tasks include the provision of information on women's rights.

In January 1999, the Department of Welfare, Family and Humanitarian Affairs held gender training courses on St. Martin, St. Eustatius and Saba. In April 1999 the coordinator of the Women's Desk on St. Martin attended a Caribbean training course on the preparation of reports in relation to the Women's Convention.

Information and consciousness-raising

To increase awareness on gender policies, various activities are being organised to mark International Women's Day (8 March), International Family Day (15 May) and the International Day for the elimination of violence against women (25 November).

In addition to media coverage, there will also be seminars and lectures organised by government bodies and non-governmental women's organisations.

In 1998 International Women's Day was marked on Curaçao by a seminar on the subject of 'masculinity', on Saba by a lecture on the position of women in current Antillean law and on St. Eustatius by a workshop on the subject of 'violence against women'. In addition, International Family Day was marked on Curaçao by a seminar concerning the forthcoming amendments to family law and the law of persons and the consequences of these changes for ordinary individuals.

In 1999 events to mark International Women's Day on Curaçao focused on the social and economic status of women, while attention was paid on St. Eustatius to the reproductive health of older women.

In January 1997, a Youth Summit was held on St. Martin and attended by approx. 300 young people. In 1998, a national Youth Summit Reproductive Health Committee was appointed, composed of government, NGO and representatives of youth organisations. Since then, various subjects have been discussed at Youth Summits.

Continuance of regional cooperation on gender policies with Aruba and Suriname

A regional conference of the three parties held in June 1997 in Paramaribo, Suriname, gave the go-ahead for the development of a special kind of vocational training for women.

For the next few years, the preference of the Netherlands Antilles is for cooperation on the following activities and projects:

a. publication of a regional newsletter;
b. organisation of mini-conferences directed at the exchange of knowledge and experience and the transfer of new working methods to specific occupational groups serving women;
c. research.

Article 5

Education in parenting

In November 1997, the government published a 'Memorandum on the Family in the Netherlands Antilles'. This was intended to provide a framework for the development of a long-term policy plan designed to help families fulfil their core functions. It goes further than the 1995 discussion document on 'The Family in the Netherlands Antilles' published by the National Committee for the International Year of the Family.

Family policy in the Netherlands Antilles is based on the following key principles:

1. statutory recognition and protection for the family in all its forms;
2. empowerment: this key principle of social development and welfare policy means that families should be given every possible assistance to fulfil their core functions to the best of their ability;
3. equal norms and values for parents and children;
4. the role of the school as one of the factors in the upbringing of children of compulsory school age;
5. the 'public-private partnership' model, whereby all sections of the community bear a shared responsibility for the creation of a family and child-friendly society.

Given the present lack of adequate knowledge (and in particular qualitative information) about the situation of families in the Netherlands Antilles, the memorandum formulates only provisional, short-term objectives for family policy. As a result, there is still no complete and coherent overview of all aspects of family life in the Netherlands Antilles.

For the time being, family policies will be directed towards strengthening the key parenting role played by families in the Netherlands Antilles. To this end, a number of concrete policies and other measures, activities and projects are being proposed such as introduction of flexible working hours, introduction of 'family life' as a separate subject on the school curriculum, conducting of research on the feasibility of parental leave for public servants, and the provision of a statutory parental right to pre-school education and after-school care.

Article 6

Measures and legislation to fight all forms of trafficking in women

Trafficking in both adults and minors is an offence under articles 260, 291 and 292 of the Criminal Code of the Netherlands Antilles, while abduction within the country and trading of children in general are offences under articles 287 et seq. of the Code.

Prostitution

On Curaçao, a form of controlled prostitution has long been officially tolerated in Le Mirage, where yearly an average of 300 women work. The registered sex-workers licensed to operate there must meet certain conditions, such as submitting themselves to medical checks on a regular basis.

Alongside this group of regulated sex-workers, the past year has seen the emergence of a group of clandestine prostitutes operating out of small hotels, dance clubs and snack bars. They are mainly immigrant women from Latin America and the Caribbean who have gone into prostitution in order to support their families in the face of the poor economic and social conditions in the region.

To gain a clearer view on the size and whereabouts of this group, a study was conducted in 1999 on Curaçao by the Contagious Diseases Department of the local Municipal Health Service (GGD) and the Fundashon Contrasida Caribbean (Caribbean AIDS foundation) in the hope of developing an effective policy to prevent the spread of Human Immunodeficiency Virus (HIV)/AIDS and other sexually transmitted diseases (STDs).

The general aims of the study were to gain insight into:

- the nature and extent of clandestine prostitution on Curaçao;
- the statutory regulation of prostitution in the Netherlands Antilles and the consequences of this for action against HIV/STD;
- high and low-risk sexual behaviour among the sex-workers involved;
- the risk of transmission run by prostitutes' clients and sexual behaviour of prostitutes' clients.

The study has revealed a rapid increase in the number of women active in the sex industry. A relatively small proportion are local women (an estimated 20%), while the remaining 80% are female immigrants, mainly from the Dominican Republic, Colombia and Venezuela.

In some cases, the study produced apparent evidence of trafficking in women, with women being recruited from abroad to work as prostitutes in nightclubs and other venues. Cases of physical abuse were also encountered, but the women involved are afraid to report these to the police or aliens service for fear of reprisals or deportation as illegal aliens.

The authors make a number of recommendations:

- a clear government stand in relation to clandestine prostitution;
- the introduction of a policy of 100% condom use in brothels and other places where prostitution is practised, in order to combat HIV/STD;
- the organisation of HIV/STD prevention workshops for sex-workers;
- the development of HIV/STD prevention materials directed at clandestine sex-workers;
- an HIV/STD prevention campaign directed at clients.

To tackle the problem of violence against women in the Netherlands Antilles, a special platform has been set up involving both governmental and non-governmental organisations. Special attention is given to the physical and psychological problems associated with such violence.

The platform consists of:

- governmental organisations:
  - Curaçao Women's Desk;
  - Municipal Health Service;
  - Curaçao consultative committee on women's affairs;
  - Department of Welfare, Family and Humanitarian Affairs;
- non-governmental organisations/individuals:
  - Steering Committee Curaçao (representing almost 65 women's groups);
  - Sentro di Dama (SEDA) (Centre for Women);
  - Council of Churches;
  - Fundashon Contrasida Caribbean (Caribbean AIDS foundation);
  - Unidad di Bario (Neighbourhood Unity) Foundation;
  - a legal advisor;
  - a psychiatrist.

The Antillean legislation on sexual offences is contained in the Criminal Code and can be summed up as follows:

- Compelling a person by the use of violence or other act or by the threat of violence or other act to submit to acts consisting or partly consisting in the sexual penetration of that person's body carries a term of imprisonment not exceeding twelve years (article 248);
- The commission with an unconscious, powerless or disturbed person of acts consisting or partly consisting in the sexual penetration of that person's body carries a term of imprisonment not exceeding eight years (article 249);
- The commission with a person under the age of twelve years of acts consisting or partly consisting in the sexual penetration of that person's body carries a term of imprisonment not exceeding twelve years (article 250);
- The commission with a person aged between twelve and fifteen years of indecent acts consisting or partly consisting in the sexual penetration of that person's body carries a term of imprisonment not exceeding eight years (article 251);
- The commission of indecent acts with an unconscious, powerless or disturbed person or the commission of indecent acts - outside marriage - with a person aged between twelve and sixteen years or the inducing of such a person to commit or permit such acts with a third party - outside marriage - carries a term of imprisonment not exceeding six years (article 253);
- Compelling a person by the use of violence or other act or by the threat of violence or other act to commit or permit indecent acts carries a term of imprisonment not exceeding eight years (article 252);
- Intentionally inducing a minor of unimpeachable conduct, by gifts or promises of money or goods, by abuse of a position of authority arising from actual relations or by deception, to commit indecent acts with - or to permit the commission of such acts by - the offender carries a term of imprisonment not exceeding four years. This offence may be prosecuted only if a complaint has been filed (article 256);
- Having sexual intercourse with a minor who is under the authority of the offender or has been entrusted to the offender for the purpose of care, education or vigilance carries a term of imprisonment not exceeding six years (article 257);

- Intentionally procuring or inducing the commission of sexual intercourse by a minor entrusted to the care of the offender, or by a minor whom the offender knew or should have known to be a minor, with a third party carries a term of imprisonment not exceeding four years (article 258);
- Making a profession or habit of intentionally procuring or inducing the commission of sexual intercourse by other persons with a third party carries a term of imprisonment not exceeding one year (article 259).

Violence against women

In November 1997, the Department of Welfare, Family and Humanitarian Affairs supported an initiative to set up a project to train the national police (KPNA) to deal with cases involving battered women. The aim of the project is to help women who are victims of domestic violence to obtain medical, legal, social and other forms of assistance once they have reported their abuse to the police. Lack of resources means that this project is still at an early stage.

A shelter for battered women has been opened on St. Martin with the support of the island authorities. In general, the clients of this "Safe Haven" are provided with information about domestic violence generally, confidentiality procedures and further available services. Information and assistance is tailored to the individual needs of the clients. If necessary, this might include assistance of lawyers, judges, social welfare officers, employers, counsellors and doctors. Staff members and volunteers are available to assist and support clients 24 hours a day, seven days a week. The shelter can accommodate up to 24 women and their children (up to the age of 14). All the children attend the special Safe Haven school, which is located on the premises. All clients leaving Safe Haven are asked to sign a confidentiality form and to keep the location of the refuge secret. Over the past 13 months some 82 clients have been assisted and 3 clients have returned.

In August 1998, in an attempt to increase young people's awareness of the need to prevent violence against women in the Netherlands Antilles and to change established patterns of

behaviour between men and women, the Netherlands Antilles participated in a Caribbean poster competition for secondary school children (part of the worldwide UNIFEM campaign 'A life Free of Violence: It's Our Right').

The Department of Justice has held a symposium on Curaçao entitled 'Interpersonal Violence Awareness'. The purpose of the symposium was to increase public awareness of ways to help women resist violations of their physical integrity.

Police officers from the Netherlands Antilles attended a course held on Jamaica to train police and social workers in dealing with domestic violence. The course was set up by the Caribbean Association for Feminist Research and Action (CAFRA) in cooperation with the Inter American Development Bank (IDB), Caribbean Development Bank (CBD), Unifem and the Association of Caribbean Commissioners of Police (ACCP).

The course centred on domestic violence against women but included discussion of other topics, such as legislation and police powers, reasons why women tolerate domestic violence and the questioning of victims.

The aim of these courses is that participants should in turn provide training for officers and others dealing with domestic violence in their own countries. The Department of Justice and the Antillean branch of CAFRA are to start providing local courses in the near future.

Article 7

Participation in political and public life

The right to vote is laid down in article 7 of the Constitution of the Netherlands Antilles, which reads "Every Dutch national shall be equally eligible for election or appointment to any public office and shall have the right to vote, in accordance with the provisions of the ordinance". Women in the Netherlands Antilles are therefore entitled to vote and to stand for election on an equal footing with men, provided that they are over the age of 18, are resident in the Netherlands Antilles on the thirtieth day before the date of nomination and possess Dutch nationality.

Table 1 shows the level of female participation in political life in the Netherlands Antilles.

Table 1: Number of women actively involved in politics at national and island level (1998-1999)

Central Government	**Women**	**Men**
Parliament	4	18
Ministers (incl. junior ministers)	4	9
Island Territory of Curaçao		
Island Council	4	17
Executive Council	3	4
Island Territory of Bonaire		
Island Council	2	7
Executive Council	1	2
Island Territory of St. Martin		
Island Council	0	11
Executive Council	1	4
Island Territory of St. Eustatius		
Island Council	1	4
Executive Council	1	1
Island Territory of Saba		

Island Council	1	4
Executive Council	1	1

Source: Executive Councils of the Island Territories and Parliament of the Netherlands Antilles

Curaçao

Candidates for election to the island councils in May 1999 included 44 women and 164 men. Women headed the lists of two of the eight political parties. Of the total of 70,562 votes cast, 18,122 went to female candidates and 52,440 to male.

Table 2: Statistics from island council elections, Curaçao 1999

political parties	8
candidates	208
votes cast	70,562
votes for women	18,122
votes for men	52,440
female candidates	44
male candidates	164

Source: Records office, Curaçao

Bonaire

Candidates for election to the island councils in May 1999 included 16 women and 42 men. Of the total of 6,488 votes cast, 748 went to female candidates and 5,740 to male.

Table 3: Statistics from island council elections, Bonaire 1999

political parties	4
candidates	58

votes cast	6,488
votes for women	748
votes for men	5,740
female candidates	16
male candidates	42

Source: Records office, Bonaire

St. Martin

Candidates for election to the island councils in May 1999 included 19 women and 58 men. Women headed the list of only one of the seven political parties. Of the 10,292 votes cast, 2,058 went to female candidates and 8,234 to male.

Table 4: Statistics from island council elections, St. Martin 1999

political parties	7
candidates	77
votes cast	10,292
votes for women	2,058
votes for men	8,234
female candidates	19
male candidates	58

Source: Legal Affairs, St. Martin

St. Eustatius

In the island council elections of 1999, 33 candidates stood for election, 11 of them women and 22 men. Women headed two of the three party lists. A total of 1,093 valid votes were cast, 370 of them for female candidates and 723 for male.

Table 5: Statistics from island council elections, St. Eustatius 1999

political parties	3
candidates	33
votes cast	1,093
votes for women	370
votes for men	723
female candidates	11
male candidates	22

Source: Legal Affairs, St. Eustatius

Saba

In the island council elections of 1999, 16 candidates stood for election, including 1 woman and 15 men. A total of 566 valid votes were cast, 47 of them for the female candidate and 519 for the men.

Table 6: Statistics from island council elections, Saba 1999

political parties	3
candidates	16
votes cast	566
votes for women	47
votes for men	519
female candidates	1
male candidates	15

Source: Executive Council, Saba

The judicial system of the Netherlands Antilles numbers 25 judges, of whom 5 are women, and 12 deputy judges, 1 of them female. In addition, there is 1 female public prosecutor (out of a total of 13) and 3 women are currently in training.

The Netherlands Antilles also has 34 female barristers and 71 male.

Article 8

Representatives at the international level

Reference is made to the previous reports.

At present there are four men and one woman seconded to the Foreign Service.

Article 9

Nationality

Reference is made to the previous reports.

Article 10

Equal rights to education

Compulsory education

The statutory provisions on compulsory school attendance are contained in an Ordinance of 19 July 1991 (PB 1991, no. 85) and have been implemented in primary, special (PB 1979, 28) and secondary education (PB 1979, 29).

The Ordinance applies to children between the ages of 6 and 15.

Secondary and vocational education

The following types of secondary education are available in the Netherlands Antilles:
- pre-university education (VWO)
- senior general secondary education (HAVO)
- junior general secondary education (MAVO)
- pre-vocational education (BVO).

Statutory provisions on secondary education are contained in the Ordinance on Secondary Education of 12 January 1979 (PB 1979, no. 29).

Publicly-run schools are open to all children without any form of discrimination.

VWO takes a total of 6 years and prepares pupils for entry to university or higher professional education (HBO). HAVO takes 5 years and qualifies pupils for entry to VWO or HBO. MAVO takes 4 years and leads on to HAVO. BVO takes 4 years.

Costs of schooling

Education is free at nursery, primary, technical and special schools, irrespective of whether they are public or private institutes. For all other types of school, parents have to pay for their children's books and equipment and make a parental contribution to the school. Where

this is difficult or impossible, children may apply to the school for assistance. This may be provided out of resources available from private donations or from the school fund.

Schoolchildren aged five and older may also qualify for an income-related annual allowance towards the costs of school clothing.

Under article 53 et seq. of the Ordinance on primary education (PB 1979, no. 28), private schools are subsidized by the island executive. This includes the costs of purchasing of material and equipment.

Income-related basic grants are also available and there is provision for financial assistance for those continuing into higher education.

Higher education

The Ordinance on the University of the Netherlands Antilles, dated 12 January 1979 (PB 1985, no. 43), contains entry qualifications and other provisions for the university. There are yearly tuition and examination fees.

There are also provisions for basic student grants and additional loans (Ordinance of 8 May 1961 (PB 1961, 78) on country study allowances; Regulations on study allowances).

Despite the fact that all types of education are open to both sexes on an equal basis, there is still a disparity in the numbers of girls and boys attending junior secondary technical schools (LTS). However, greater numbers of girls are gradually finding their way into senior secondary and higher technical education (MTS and HTS).

The tables below list the numbers of boys and girls in the various types of secondary school.

Table 7: Number of boys and girls in secondary education per type of school

	VWO			HAVO		
School year	boys	girls	total	boys	girls	total
1996-1997	319	500	819	711	1,145	1,856
1997-1998	336	519	855	764	1,203	1,967
1998-1999	346	543	889	824	1,253	2,083

	MAVO			LTS		
school year	boys	girls	total	boys	girls	total
1996-1997	1,697	2,647	4,344	2,306	57	2,363
1997-1998	1,787	2,639	4,426	2,228	63	2,291
1998-1999	1,710	2,554	4,264	2,227	60	2,287

	BVO		
school year	boys	girls	total
1996-1997	182	1,791	1,973
1997-1998	197	1,751	1,948
1998-1999	221	1,733	1,954

Source: Department of Education of the Netherlands Antilles

Table 8: Employed population by level of education and sex

	Bonaire			Curaçao			St. Martin		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Elementary education	714	588	1302	4066	3365	7431	3032	2083	5115
Secondary education 1st stage	2533	1143	3976	14311	12348	26659	3566	2569	6135
Secondary education 2nd stage	738	448	1186	5934	5549	11483	3077	2563	5640
Higher education 1st stage	279	313	592	3665	2809	6474	869	678	1547
Higher education 2nd stage	102	63	165	1190	524	1714	125	23	148
Unknown	88	43	131	360	61	421	160	151	311
Total	4454	2898	7352	29526	24655	54182	10829	8067	18896

Source: Central Bureau of Statistics, Labour Force Sample Survey, 1996 (Bonaire), 1997 (St. Martin) and 1998 (Curaçao)

	Saba			St. Eustatius		
	Male	Female	Total	Male	Female	Total
Elementary education	103	68	171	177	137	314
Secondary education 1st stage	124	89	213	208	137	345
Secondary education 2nd stage	50	63	113	95	84	179
Higher education 1st stage	41	33	74	71	49	120
Higher education 2nd stage	19	3	22	9	5	14
Unknown	14	13	27	14	7	21
Total	351	269	620	574	419	993

Source: Mid-Census 1997

Women and sport

In 1999, the Central Bureau of Statistics conducted a survey of households on Curaçao, Bonaire and St. Martin concerning participation in sport, cultural activities and outward tourism, and experience of being a victim of crime. The key question on sport was "Do you take part in sport in your free time?". Passive interest in sporting activities was also

monitored by asking "Have you attended any sporting event as a spectator in the past year?".

The main findings of the survey were as follows:

Curaçao

On Curaçao, 32.4% of the population aged 6 and over take part in one or more sport or mind game (30.2% in sport, 3.4% in mind games, and almost 1.2% in both). The most popular sport on Curaçao is walking, followed by swimming. The most popular mind game is dominoes, followed by draughts. More men than women take part in sports (respectively 41.6% and 24.4% of the population). The 15-24 age group shows the highest level of participation (44.6%).

Moreover, 40.8% of the population had attended a sports event. Among men, the figure for passive participation was 49.4%, compared to 33.4% among women.

The tables below show participation in sports by age and sex (table 9), and attendance at sports events by age and sex (table 10).

Table 9: Participation in sports by age and sex, Curaçao, 1999

	Relative (%)			Absolute		
age	Men	Women	Total	Men	Women	Total
06-14	50.8	28.5	39.7	5,660	3,122	8,782
15-24	57.6	30.8	44.6	5,209	2,630	7,839
25-34	38.6	29.2	33.5	3,286	2,909	6,195
35-44	39.4	26.8	32.4	4,315	3,638	7,953
45-54	37.2	24.3	30.1	3,324	2,699	6,023
55-64	35.7	18.2	26.3	2,132	1,277	3,409
65+	15.8	5.9	9.8	745	435	1,180
Total	41.6	24.4	32.4	24,671	16,710	41,381

Source: Modus Statistical Magazine, Vol. 4, no. 2

Table 10: Attendance at sports events by age and sex, Curaçao, 1999

	Relative (%)			Absolute		
age	Men	Women	Total	Men	Women	Total
06-14	59.3	45.7	52.6	6,612	5,009	11,621
15-24	64.7	51.1	58.1	5,851	4,360	10,211
25-34	50.8	40.6	45.3	4,325	4,045	8,370
35-44	46.3	36.9	41.1	5,067	4,997	10,064
45-54	48.0	27.2	36.5	4,292	3,024	7,316
55-64	39.3	15.6	26.5	2,348	1,090	3,438
65+	16.8	4.6	9.4	789	339	1,128
Total	49.4	33.4	40.8	29,284	22,864	52,148

Source: Modus Statistical Magazine, Vol. 4, no. 2

Bonaire

On Bonaire, 44.1% of the population aged 6 and over take part in one or more sport or mind game (42.6% in sport, 3.2% in mind games, and almost 1.2% in both). The most popular sport on Bonaire is swimming, followed by football. The most popular mind game is dominoes, followed by chess. More men than women take part in sports (respectively 51% and 36% of the population). The 15-24 age group shows the highest level of participation (62.5%).

Moreover, 65.7% of the population had attended a sports event. Among men, the figure for passive participation was 70.5%, compared to 59.9% among women.

The tables below show participation in sports by age and sex (table 11), and attendance at sports events by age and sex (table 12).

Table 11: Participation in sports by age and sex, Bonaire, 1999

	Relative (%)			Absolute		
age	Men	Women	Total	Men	Women	Total
06-14	66.5	49.1	58.6	724	449	1,173
15-24	76.6	46.9	62.5	834	465	1,299
25-34	54.2	41.5	48.2	669	459	1,128
35-44	42.9	30.5	37.6	643	344	987
45-54	37.3	29.5	33.9	428	246	674
55-64	33.5	23.1	28.7	183	107	290
65+	28.3	13.7	20.8	136	71	207
Total	51.0	36.0	44.1	3,617	2,141	5,758

Source: Modus Statistical Magazine, Vol. 4, no. 2

Table 12: Attendance at sports events by age and sex, Bonaire, 1999

	Relative (%)			Absolute		
age	Men	Women	Total	Men	Women	Total
06-14	83.8	76.0	80.3	912	695	1,607
15-24	86.7	82.6	84.8	944	819	1,763
25-34	75.0	65.9	70.7	925	729	1,654
35-44	71.0	60.0	66.3	1,065	676	1,741
45-54	64.4	49.8	58.3	742	416	1,158
55-64	47.9	34.1	41.6	262	158	420
65+	31.0	13.7	22.1	149	71	220
Total	70.5	59.9	65.7	4,999	3,564	8,563

Source: Modus Statistical Magazine, Vol. 4, no. 2

St. Martin

On St. Martin, 28.5% of the population aged 6 and over take part in one or more sport or mind game (26.7% in sport, 2.9% in mind games, and almost 1.2% in both). The most popular sport on St. Martin is basketball, followed by gymnastics. The most popular mind game is dominoes, followed by chess. More men than women take part in sports (respectively 38% and 19.1% of the population). The 6-14 age group show the highest level of participation (47%).

Moreover, 30.1% of the population had attended a sports event. Among men, the figure for passive participation was 39.2%, compared to 21% among women.

The tables below show participation in sports by age and sex (table 13), and attendance at sports events by age and sex (table 14).

Table 13: Participation in sports by age and sex, St. Martin, 1999

	Relative (%)			Absolute		
age	Men	Women	Total	Men	Women	Total
06-14	52.2	41.9	47.0	1,556	1,263	2,819
15-24	56.6	24.6	40.8	1,367	581	1,948
25-34	42.5	14.7	28.5	1,845	643	2,488
35-44	28.8	14.1	21.4	1,358	670	2,028
45-54	26.4	12.4	19.6	757	333	1,090
55-64	21.0	4.4	13.2	215	40	255
65+	9.8	6.8	8.1	45	42	87
Total	38.0	19.1	28.5	7,143	3,572	10,715

Source: Modus Statistical Magazine, Vol. 4, no. 2

Table 14: Attendance at sports events by age and sex, St. Martin, 1999

	Relative (%)			Absolute		
age	Men	Women	Total	Men	Women	Total
06-14	41.6	26.6	34.1	1,239	803	2,042
15-24	53.7	26.8	40.4	1,297	632	1,929
25-34	40.8	24.1	32.4	1,773	1,052	2,825
35-44	36.1	20.7	28.4	1,703	989	2,692
45-54	35.7	13.0	24.7	1,025	349	1,374
55-64	27.5	9.8	19.2	282	89	371
65+	12.3	3.4	7.2	56	21	77
Total	39.2	21.0	30.1	7,375	3,935	11,310

Source: Modus Statistical Magazine, Vol. 4, no. 2

Article 11

Right to employment

The position of women in the labour market in the Netherlands Antilles

Curaçao

Total employment in 1998 was down by more than 2,000 compared with 1997 (from 56,246 to 54,181). The number of job-seekers rose slightly, from 10,134 in 1997 to 10,828 in 1998. The unemployment rate rose from 15.3% to 16.7% of the working population.

The number of working women fell by just over 1,100 compared with 1997, while the number of female job-seekers increased slightly from 5,818 in 1997 to 5,987 in 1998. The rate of unemployment among women rose from 18.4% in 1997 to 19.4% in 1998.

The number of men in work declined by just under 1,000, while the number of men seeking work rose slightly from 4,316 to 4,841. The unemployment rate among men rose from 12.4% to 14.1%.

Table 15 shows the economically active population on Curaçao in 1997 and 1998.

Table 15: Economically active population, Curaçao, 1997 and 1998

	1997		
	Male	**Female**	**Total**
Employed	30,452	25,794	56,246
Unemployed	4,316	5,818	10,134
Labour Force	34,769	31,611	66,380
Unemployment Rate	12.4%	18.4%	15.3%
	1998		
Employed	29,526	24,655	54,181
Unemployed	4,841	5,987	10,828
Labour Force	34,367	30,642	65,009
Unemployment Rate	14.1%	19.4%	16.7%

Source: Central Bureau of Statistics, Labour Force Sample Survey, 1997 and 1998

St. Martin

Between 1995 and 1997 the labour force increased by more than 9%. The unemployment rate rose from 11.5 % in 1995 to 17.2 % in 1997. The main reason for this was the increase in total unemployment to around 3,900. There was very little increase in employment over the period. Since 1995, St. Martin has been hit by hurricanes. Most hotels closed due to storm damage. Some have still not reopened and the increase in employment in other sectors has been unable to absorb the major job losses in the hotels and catering sector.

The number of women in employment fell from 8,221 in 1995 to 8,068 in 1997. Given the closure of hotels and the fact that a large percentage of the female workforce had been employed in that sector, it is not surprising that the number of unemployed women increased from 1,321 in 1995 to 2,315 in 1997.

Table 16 shows the economically active population on St. Martin in 1995 and 1997.

Table 16: Economically active population, St. Martin, 1995 and 1997

	1995		
	Male	**Female**	**Total**
Employed	10,276	8,221	18,497
Unemployed	1,087	1,321	2,408
Labour Force	11,363	9,542	20,905
Unemployment Rate	9.6%	13.8%	11.5%
	1997		
	Male	**Female**	**Total**
Employed	10,828	8,068	18,896
Unemployed	1,616	2,315	3,931
Labour Force	12,444	10,383	22,827
Unemployment Rate	13.0%	22.3%	17.2%

Source: Central Bureau of Statistics, Modus Statistical Magazine, Vol. 3, no. 2

St. Eustatius and Saba

In 1997 the employed population on St. Eustatius totalled 993 (574 men and 419 women). There were 55 male and 70 female job-seekers. The unemployment rate was 11.2% (8.6% for men and 14.3% for women).

In the same year, the employed population on Saba numbered 620 (351 men and 269 women). There were 13 male and 26 female job-seekers. The unemployment rate was 5.9% (3.4% for men and 9.0% for women).

Table 17 shows the economically active population on St. Eustatius en Saba in 1997.

Table 17: Economically active population, St. Eustatius and Saba, 1997

	1997					
	St. Eustatius			Saba		
	Male	Female	Total	Male	Female	Total
Employed	574	419	993	351	269	620
Unemployed	55	70	125	13	26	39
Labour Force	629	489	1,118	364	295	659
Unemployment Rate	8.6%	14.3%	11.2%	3.4%	9.0%	5.9%

Source: Central Bureau of Statistics, Census Count, 1997

Bonaire

On Bonaire, the number of job-seekers rose between 1994 and 1996 from 330 to 500. The unemployment rate rose slightly, from 5.5% to 6.1% of the economically active population. Numbers in work rose over the period from 5,616 to 7,618: an increase of over 35%. However, the working population rose by 38%: from 5,947 to 8,181. The increased numbers both of people in work and of job-seekers pushed the level of participation up from 50.6% to 56.1%.

Between 1994 and 1996, the number of female job-seekers increased from 174 to 279. The number of women in work increased less rapidly, from 2,201 to 3,184 and the unemployment rate among women rose from 7.3% in 1994 to 8.1% in 1996.

Table 18 shows the economically active population on Bonaire in 1996.

Table 18: Economically active population, Bonaire, 1996

	1996		
	Male	**Female**	**Total**
Employed	4,497	3,184	7,681
Unemployed	221	279	500
Labour Force	4,721	3,464	8,181
Unemployment Rate	4.7%	8.1%	6.1%

Source: Central Bureau of Statistics, Labour Force Sample Survey, 1996

Right of female employees to equitable conditions of work

The Ordinance of 26 April 1999 amending the Country Ordinance on Sickness Benefits (PB 1966, 15) and the Civil Code of the Netherlands Antilles increased the protection given to female workers by bringing the provisions on pregnancy and maternity up to international standards. Pregnancy and maternity leave has been increased to a maximum of 12 weeks. Because this period is regarded as relatively short in terms of section 1614c of the Civil Code, female workers receive full pay throughout this leave.

The Ordinance of 4 December 1998 amending the Labour Regulations of 1952 (PB 1958, 24) reduced the working hours for the private sector to 40 hours per week. This will give women (and men) during the five working days more time to devote to other matters, including domestic chores, the upbringing of children, family life, and education.

The Ordinance of 23 December 1997 (PB 1997, 313) gives public servants on permanent contracts of employment the option of working part-time and has therefore improved the position of women in the labour market. The introduction of part-time working makes it easier for female public servants to combine their parenting and domestic activities with paid employment. It is also open to male employees to opt for part-time working in order to spend more time on the care and upbringing of their children. For both sexes, the option is at present available only to public-sector workers.

Article 12

Right to health care

The supply of medicines to all citizens is an integral part of the general health care system in the Netherlands Antilles. There are no shortages, while pharmaceutical services are free to the most vulnerable groups in society. There are well-established vaccination programmes specifically for infants and toddlers. Most health care programmes offer vitamin supplementation during pregnancy and most health care and health insurance schemes reimburse drugs needed to treat HIV patients.

The population survey on Curaçao, which was mentioned in the previous report has now been extended to the other islands of the Netherlands Antilles. Since the survey is still being conducted on those islands, the final results are not yet available.

In its coalition agreement for 1999-2002, the government states that the following steps will be taken to achieve good quality, affordable, accessible health care:

- targeted dissemination of public health information;
- action to promote participation by individuals and interest groups;
- pursuance of preventive health policies;
- promotion of a healthy lifestyle.

Particular attention is to be paid to the prevention of the most common disorders, such as diabetes, cardio-vascular diseases and glaucoma.

With regard to health information and education, three secondary schools have been approached to serve as pilot institutions for the 'Health-Promoting School' project to be run by the World Health Organisation (WHO) in the Netherlands Antilles.

In the area of reproductive health, the Department of Health and Environmental Protection has organised, in cooperation with the Pan American Health Organisation (PAHO), workshops and training courses for health workers on the various islands.

In 1998, a workshop was held on the 'Baby-Friendly Hospital Initiative' (BFHI), a WHO/UNICEF project. This workshop was organised by the Department of Health and Environmental Protection in cooperation with a Curaçao-based breastfeeding organisation (Lechi di Mama) and PAHO. The workshop was based on a ten-step approach to successful breastfeeding drawn up by the WHO and UNICEF. Hospitals practising this approach are certificated as 'Baby-Friendly Hospitals'. The purpose of the workshop was to encourage hospitals to pursue this approach to certification.

In the course of the workshop, health workers were given the necessary information to achieve policy change within the institutions concerned. At the end of the workshop a declaration of intent was signed by the Municipal Health Service and several hospitals in the Netherlands Antilles. In order to qualify by 1 January 2001 for WHO designation as 'Baby-Friendly Hospitals', a ten-step BFHI approach will be introduced.

Following this declaration of intention, the largest hospital in the Netherlands Antilles - the St. Elisabeth Hospital (SEHOS) - has appointed an internal committee to monitor progress in implementing the BFHI approach. The Municipal Health Service on Curaçao has likewise set up a committee including representatives of various disciplines – including paediatrics, obstetrics and environmental health – to advise the island authority in this respect.

Meanwhile, various activities have been organised, such as a Breastfeeding Promotion Week held in March 1999. The purpose of this was to increase the understanding and awareness of mothers-to-be regarding the importance and advantages of breastfeeding. In the course of the event, the director of the SEHOS gave a commitment to make a special room available within the hospital where female staff could breastfeed their children. The St. Francis Hospital on Bonaire is also to make provision for a special breastfeeding area as part of its forthcoming modernisation.

Finally, among the events marking Breastfeeding Promotion Week, the Department of Health and Environmental Protection has produced with the help of the Lechi di Mama Foundation and the Government Information Service a short information film on breastfeeding. The film draws attention to the important benefits of breastfeeding for both mother and child and publicises this year's special theme ('Breastfeeding for Life') and the follow-up to the BFHI.

Teenage pregnancies

Teenage pregnancies have been identified as a growing problem which needs to be tackled by both government and non-governmental organisations in the Netherlands Antilles, for example through the provision of sex education for young people.

In 1998 a national Youth Summit Reproductive Health Committee was appointed. Composed of government, NGO and representatives of youth organisations, the committee's task is to make concrete recommendations to government concerning policies on the reproductive health and reproductive rights of young people. Youth Summits are held each year on the various islands and cover a range of subjects such as adolescence and sexuality, legal competence within the reproductive health field, and reproductive health and prevention.

In 1999, the service clubs and Famia Plania (Foundation for the Promotion of Responsible Parenthood) launched a large-scale concerted three-year information campaign with the aim of reducing the number of teenage pregnancies on Curaçao.

In 1999 Famia Plania gave lectures on sexual and reproductive health and family planning for students from a number of schools, and provided them with counselling and advice. It also cooperated with the maternity clinic in Curaçao on the provision of weekly prenatal lectures on sexual reproductive health issues. These were given at the maternity clinic over a period of 10 months and were attended by some 250 people. In addition, Famia Plania submits regular articles on sexual and reproductive health and family planning for inclusion in local newspapers and distributes folders and flyers covering a wide range of topics relating to sexual and reproductive health. The organisation also distributes contraceptives for use by adults and adolescents on all five islands of the Netherlands Antilles.

Research on Curaçao in 1997 showed that 7% of all births are to teenage mothers. These young mothers often leave school without the necessary qualifications and furthermore have inadequate arrangements for child care. As a result, most become socially isolated and heavily dependent on their partners (if any). They are regarded as constituting an 'at risk group' within society.

On St. Martin, this problem is even more severe. 11% of all births are to teenage mothers, often between the ages of 12 and 16. Many of the mothers (an estimated 13%) are illegal migrants.

Table 19 shows the number of births to teenage mothers.

Table 19: Number of births to teenage mothers, 1997-1999, Curaçao

Age of mother	1997	1998	1999
12 years	0	0	0
13 years	2	3	3
14 years	7	4	7
15 years	23	29	13
16 years	37	43	32
17 years	60	53	46
18 years	65	71	57
19 years	72	85	71
20 years	72		
21 years	89	444 (1)	401(1)

Source: Records office, Curaçao

(1) age bracket 20 - 24

Finally, two nurses involved in the provision of sex education for young people on St. Martin and St. Eustatius have attended a week-long upgrading course with the Infese Foundation, a district nursing organisation attached to the maternity clinic on Curaçao.

HIV/AIDS in the Netherlands Antilles

In a small community like the Netherlands Antilles, HIV/AIDS is to some extent still a taboo subject. To try to change this and make the public more aware of the consequences of HIV/AIDS, both the government and various AIDS organisations are organising information and prevention campaigns.

As people become better informed about the disease, more of them are requesting HIV tests. As a routine, pregnant women in the Netherlands Antilles are tested for HIV. Set protocols are used for this purpose. Those found to be HIV-positive are treated with a reverse transcriptase inhibitor (AZT) throughout pregnancy. During delivery, the drug is administered intravenously to reduce the risk of transmission of the virus.

The registration of HIV carriers and AIDS patients is still a problem. Cases of HIV infection are registered by a number of different bodies, meaning that double counting may occur. It is likely too that some people with HIV have not been registered, while some known carriers may have left the country or died since registration.

Between 1985 and 1999, a total of 1,069 cases of HIV were registered in the Netherlands Antilles (462 women and 607 men).

The tables below show the number of new known cases per year and the number of HIV carriers per island, by sex.

Table 20: Number of new known cases per year, Netherlands Antilles, 1985 - 1999

Year	Number of persons
1985	9
1986	46
1987	54
1988	80
1989	78
1990	113
1991	80
1992	71
1993	79
1994	59
1995	67
1996	79
1997	88
1998	84
1999	82

Source: Municipal Health Service

Table 21: Number of known HIV carriers per island, by sex, Netherlands Antilles, 1985-1999

Island	Male	Female	Total
Curaçao	386	284	670
Bonaire	7	5	12
St. Martin	207	169	376
St. Eustatius	4	2	6
Saba	3	2	5
Total	607	462	1,069

Source: Municipal Health Service

Table 22: Known HIV carriers by age group, Netherlands Antilles, 1985-1999

Age	<1	1-4	5-14	15-24	25-44	45-64	65+
Total	42	4	5	101	720	181	16

Source: Municipal Health Service

The Aids Foundation for the Netherlands Antilles has existed on Curaçao since 1993. The organisation is subsidised by the island territory of Curaçao and is responsible for providing AIDS information, organising AIDS prevention and supporting AIDS patients and their families.

Since 1997 Curaçao has also had a buddy project. This was initiated by the Le Beau Foundation, an organisation set up to assist HIV carriers and AIDS patients by providing buddy services and information.

The Fundashon Contrasida Caribbean exists to reduce the prevalence of HIV and other sexually transmitted diseases in the Caribbean by running HIV/STD prevention programmes.

On Bonaire, a local working group on AIDS prevention (WAPB) was set up in 1990 to provide information, organise AIDS education activities both for the general public and for specific target groups, and counsel and support people with HIV and AIDS.

Article 13

Elimination of discrimination in economic and social life

In addition to the information provided in previous reports, it can now be reported that the introduction of separate taxation for working wives was completed on 1 January 1998, when the Ordinance of 23 December 1997 entered into force. This amended the Country Ordinance on Income Tax 1943 (PB 1956, 9) and the Country Ordinance on Wages and Salaries Tax 1976 (PB 1995, 254) to the effect that the earned incomes of spouses are no longer taxed jointly. In other words, each of the spouses is now taxed individually in this respect. It is still the case, however, that other forms of income (generally income from capital) are taxed together. Tax on these is charged to the spouse with the highest employment income. In this respect, therefore, discrimination is now based only on income and not on sex.

Tax deductions for pensions and children are likewise sex-neutral.

In all other respects, fiscal legislation is generally sex-neutral in both form and practice.

As regards women's participation in sport, see information on article 10.

Article 14

Women in rural areas

Because of the country's size, topography, well-developed network of paved roads, good bus services and reliable telephone service, it is not easy to define a rural sector in the Netherlands Antilles.

Article 15

Equality before the law

The Government refers to the fundamental right to equal treatment laid down in article 3 of the Constitution of the Netherlands Antilles. This provides that any person in the territory of the Netherlands Antilles is entitled to protection of their person and goods, but goes further than this to imply that all individuals are equal before the law.

In addition, under the provisions of article 43 of the Charter for the Kingdom of the Netherlands, it is the duty of each of the countries to promote observance of fundamental human rights and freedoms, legal certainty and good governance. Under this provision, individuals who believe they have been accorded unequal treatment and have thus suffered discrimination may have recourse to the courts.

The non-discrimination provision does not require equal treatment if there is an objective justification for a difference in treatment. In addition, it is necessary first of all to ascertain whether the distinction made in a particular case did not after all serve a reasonable object and was accordingly not disproportionate (requirement of proportionality).

Under the Criminal Code, discrimination on the grounds of race, religion or conviction is a criminal offence in the Netherlands Antilles. The Government would refer in particular to article 95c of the Criminal Code which provides that: "Discrimination or discriminating means every form of distinction and every exclusion, limitation or preference which is intended to prevent or undermine the recognition, enjoyment or exercise on an equal footing of human rights and fundamental freedoms in the political, economic, social or cultural fields or in other areas of public life or which may have this result."

Through the Kingdom of the Netherlands, the Netherlands Antilles is party to various international conventions. These include the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Convention on the Elimination of all Forms of Racial Discrimination (CERD), the International Convention on the Rights of the Child (CRC) and the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR).

Article 16

Equal rights concerning marriage and in family law

The New Civil Code of the Netherlands Antilles and Aruba is currently being considered by Parliament.

Its introduction will have the effect of repealing/amending any remaining provisions of Book 1 of the Civil Code of the Netherlands Antilles which place women at a disadvantage compared to men.

As regards the major changes relating to the implementation of the Women's Convention, see information in the second periodic report.